

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

TY CLEVENGER,

Plaintiff,

vs.

**U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF
INVESTIGATION, and NATIONAL
SECURITY AGENCY,**

Defendants

Case No. 1:18-cv-1568-LB

UNOPPOSED MOTION FOR STAY

NOW COMES the Plaintiff, Ty Clevenger, moving the Court to stay the proceedings in this case:

At the telephone hearing held on October 18, 2019, the parties discussed public statements made by Deborah Sines, the retired prosecutor who was formerly assigned to the Seth Rich murder case in Washington, D.C. The Court noted that Ms. Sines's statements were not made under oath, further suggesting that the Plaintiff might try to obtain a sworn statement from Ms. Sines. The Plaintiff represents Ed Butowsky of Plano, Texas in some related cases pending in the Eastern District of Texas, *see Edward Butowsky v. Michael Gottlieb, et al.*, Case No. 4:19-cv-00180 (E.D.Tex.) and *Edward Butowsky v. David Folkenflik, et al.*, Case No. 4:18-cv-00442, and the undersigned intends to subpoena Ms. Sines for a deposition.¹ For that reason, the Plaintiff moves the Court to stay this case until the deposition of Ms. Sines can be arranged and

¹ As witnessed by his electronic signature on this document, Ty Clevenger declares under penalty of perjury under the laws of the United States that his statement is true and correct.

the transcripts can be produced. The Plaintiff conferred with counsel for the Defendants via email on October 24, 2019, and they do not oppose this request.

Separately, the Plaintiff requests that the Court take judicial notice of recent developments in two other cases. In a reply filed on October 24, 2019 in *United States v. Michael T. Flynn*, Case No. 1:17-cr-00232-EGS (D.D.C.), attorney Sidney Powell laid out damning evidence that high-ranking FBI officials systematically tampered with records and hid exculpatory evidence for the purpose of framing the defendant, retired General Mike Flynn. The reply itself is sealed, but Ms. Powell publicly posted a redacted version online, and the Plaintiff has attached a copy as Exhibit 1. The Plaintiff requests that the Court take judicial notice of that attachment or obtain a copy of the reply (and its exhibits) directly from the D.C. court.

As the Court is probably aware, the criminal charges against General Flynn are an integral part of the “Russian collusion” allegations against the Trump Administration, and allegations about Seth Rich are part of the same story. *See, e.g.*, Josh Gerstein, “Intelligence scholar sues Cambridge academic, U.S. news outlets over reports on Flynn links?”, *Politico*, May 24, 2019 (<https://www.politico.com/blogs/under-the-radar/2019/05/24/cambridge-academic-news-outlets-flynn-links-1342943>) and Zack Budryk, “Russian intel planted Seth Rich conspiracy theory: report,” *The Hill*, July 9, 2019 (<https://thehill.com/homenews/media/452157-russias-foreign-intelligence-service-secretly-planted-fake-report-that-seth>). On October 29, 2019, Judicial Watch posted more documents indicating that the FBI and Justice Department had hidden records related to “Russian collusion” allegations. *See* “Judicial Watch obtains records showing contact between Peter Strzok, Bruce Ohr that DOJ claimed it couldn't find” (<https://www.judicialwatch.org/press-releases/judicial-watch-obtains-records-showing-contact-between-peter-strzok-bruce-ohr-that-doj-claimed-it-couldnt-find/>) and document links therein.

It appears that the FBI was willing to conceal records and tamper with evidence in order to frame a highly-decorated former military officer, all for the purpose of promoting and protecting the “Russian collusion” narrative. Likewise, it appears that DOJ was willing to hide records related to “Russian collusion” in order to conceal the misconduct of senior FBI and DOJ officials. Taken together, these developments cast new light on the FBI's refusal to search for records about Seth Rich in the locations where they most likely would be found, *i.e.*, it appears to be yet another attempt to conceal evidence related to the “Russian collusion” allegations.

Respectfully submitted,

/s/ Ty Clevenger

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PLAINTIFF PRO SE

CERTIFICATE OF SERVICE

I certify that on October 30, 2019, I filed this document with the Court's ECF system, which should result in automatic notification to Kathleen A. Mahoney, counsel for the Defendants, at kathleen.mahoney@usdoj.gov.

/s/ Ty Clevenger

Ty Clevenger